

*Briefing*

15 August 1978  
OLC: 78-2948

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with State Department Representatives on Executive Branch Relations with the Senate Foreign Relations Subcommittee on International Operations

1. (U/IUO) On 15 August 1978 the undersigned along with [redacted] met with Theodore Heavner, Office of Operations Policy, [redacted] Bureau of Intelligence and Research, Department of State, and Laurence Storch, of the State Department Legal Adviser's office, at their request to discuss relations with the Senate Foreign Relations Subcommittee on International Operations. The State Department representatives specifically wanted to discuss procedures for implementing the understanding on the "third agency rule" worked out at the 3 August Senate-House Conference on the State Department Authorization bill. Heavner and Storch provided us with a letter from Subcommittee Chairman George McGovern (D., S. Dak.) to the Director of State's Bureau of Intelligence and Research which outlines the Chairman's understanding of how the agreement reached at the House-Senate conference will apply in practice. Heavner and Storch also discussed with us their draft reply to that letter. We agreed that the following procedures would be used when the State Department encounters in its files CIA documents related to requests for information by the International Operations Subcommittee:

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- - A list of the documents will be provided to OLC.
- - The Subcommittee will be informed that the Agency has been provided with such a list, but the documents will not be specifically identified to the Subcommittee. (See attached memorandum from NSC Staff Secretary Christine Dodson.)
- - The Agency will communicate directly with the Subcommittee as to whether and how the documents will be made available.

2. (U/IUO) In effect, this means that any documents we make available will be in accordance with the Memorandum of Understanding between the DCI and the Subcommittee (i.e., review and note-taking by staffers Glennon and Ritch at Headquarters). Unlike the Department of State, we will not normally be turning any of our documents over to the Subcommittee.

3. (U/IUO) Heavner and Storch gave us a list of CIA documents pertaining to the Nationalist Chinese intelligence service, copies of which


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are in State's files. We agreed that we would coordinate with State on the wording of the letter we will send to the Subcommittee concerning these documents.

4. (U/IUO) Following the State representatives' departure, the undersigned called Ron Heller, of the Federal Bureau of Investigation's Legislative Affairs Office, to confirm that the agreement on procedures that had just been reached between State and CIA was essentially the same as one previously worked out between State and the Bureau. We agreed that the same procedures would be used for FBI-CIA dealings on Subcommittee requests for documents.

  
Assistant Legislative Counsel

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#### Attachments

#### Distribution:

Original - OLC Subject w/att.

1  w/att.

1 - OLC Chrono w/o att.

OLC:GMC:clm (16 August 1978)

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